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Attorney for Respondent Antrim

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

| | | |
|----------------------------|---|-------------------------------|
| PATRICK ROBERT HARVEY, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| vs. |) | Case No. 3:05-cv-0083-TMB-JDR |
| |) | |
| MARC ANTRIM, |) | <u>AFFIDAVIT</u> |
| COMMISSIONER, |) | |
| DEPARTMENT OF CORRECTIONS) |) | |
| |) | |
| Respondent. |) | |
| _____ |) | |

Nancy R. Simel affirms the following to be true and correct:

1. I am employed as an assistant attorney general in the office of special prosecutions and appeals. I have been assigned to represent Respondent Antrim in this habeas matter.
2. I am in the process of drafting the response. I have a substantial portion of it completed, and I expect to complete the draft later this week. A

short period of additional time is necessary for office review and finalization of the document.

3. In addition, I must compile the documents that will be lodged with the court and arrange to have them copied by the support staff. Because the documents include transcripts of the trial, the evidentiary hearing on Harvey's application for post-conviction relief, and a deposition, the copying will take a few days to complete.

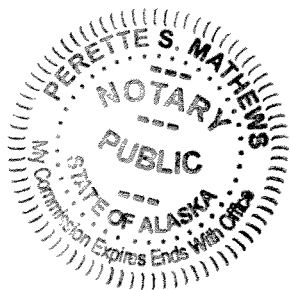
4. I will be out of the office from June 26, 2008 through July 2, 2008.

5. I believe that, absent unforeseen circumstances, I will be able to file the document within the time requested.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Nancy Romel

Subscribed to and affirmed before me on June 23, 2008, at Anchorage, Alaska.



Perette S. Mathews
Notary Public